

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *eg* D.C.  
05 OCT 11 PM 3:04

IRON WORKERS LOCAL UNION )  
NO. 167 HEALTH AND WELFARE PLAN )  
AND TRUST, et al. )  
Plaintiffs, )  
v. )  
DAVID O. WHITE, individually and )  
doing business as DOWCO CONSTRUCTION,)  
Defendant. )

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TN, MEMPHIS

Case No. 2:05cv02383 JDB-tmp

---

ORDER ADMINISTRATIVELY CLOSING THE CASE

---

It appears to the Court that the parties have notified the Court that they have resolved their dispute in accordance with the Settlement Agreement attached hereto. The Defendant has until May 2006 to complete payments under the terms of the Settlement Agreement. Therefore, with the agreement of all parties to this action, the Court will administratively close the above-captioned case pursuant to its inherent powers as it appears that no further case administration is warranted at this time.

It is expressly emphasized that an Order administratively closing a case is purely an administrative device for the convenience of the Court and in no way affects the substantive and/or procedural rights of the parties in interests to proceed before this Court at a later date. To administratively close a case merely means to close for statistical purposes in the office of the District Court Clerk and the Administrative Office of the United States Courts.

It is also expressly emphasized that an administratively closed case can be easily reopened via a simple order of the Court without the necessity of a reopening filing fee

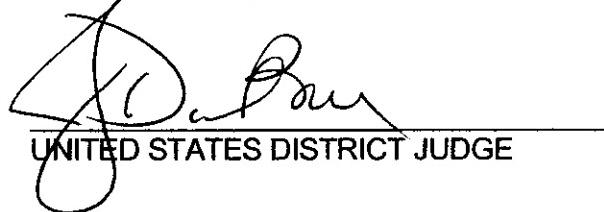


should the case require further administration. Upon its reopening, the case then becomes, ipso facto, a statistically active case and resumes the same status it had before the administrative closing without prejudice to the rights of any party in interest. Accordingly,

**IT IS ORDERED AND NOTICE IS HEREBY GIVEN THAT:**

1. The Court is directed, consistent with the foregoing, to administratively close this case in his records without prejudice to the substantive and/or procedural rights of any party in interest to move at a later time to reopen the case for good cause, including the entry of any stipulation or order, or for any other purpose required to obtain a final determination for the pending litigation.
2. In the even a party in interest files a motion at a later time seeking to reopen this administratively closed case, no reopening filing fee shall be required.
3. The Clerk is expressly directed to docket any order of dismissal immediately upon receipt.

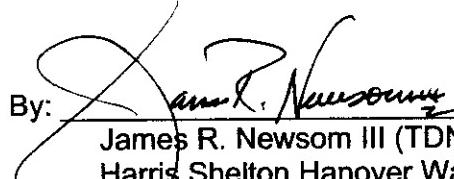
IT IS SO ORDERED this 11<sup>th</sup> day of October, 2005.



John D. Boas  
UNITED STATES DISTRICT JUDGE

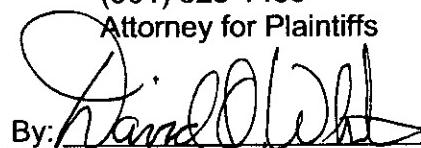
APPROVED FOR ENTRY:

IRON WORKERS LOCAL UNION NO. 167  
HEALTH AND WELFARE PLAN AND TRUST,  
for itself and its co-Plaintiffs

By: 

James R. Newsom III (TDN 6683)  
Harris Shelton Hanover Walsh, PLLC  
2700 One Commerce Square  
Memphis, TN 38103  
(901) 525-1455

Attorney for Plaintiffs

By: 

David O. White, individually and doing  
business as DOWCO Construction, an  
unincorporated business  
Defendant, Pro-se



# Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02383 was distributed by fax, mail, or direct printing on October 12, 2005 to the parties listed.

---

James R. Newsom  
HARRIS SHELTON HANOVER WALSH, PLLC.  
One Commerce Square  
Ste. 2700  
Memphis, TN 38103--255

Carmel A. Morgan  
HARRIS SHELTON HANOVER WALSH, PLLC.  
One Commerce Square  
Ste. 2700  
Memphis, TN 38103--255

Honorable J. Breen  
US DISTRICT COURT